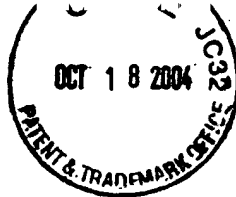


Customer No. 35745



Attorney Docket No. 100405-16370
[Formerly 100390-6370]

6P1641 ✓
[Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Massey et al. Confirmation No. 3441
Serial No. : 10/007,526
Filed : December 5, 2001
For : **GRAPHITIC NANOTUBES IN LUMINESCENCE ASSAYS**
Group Art Unit : 1641
Examiner : M. Ceperley

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited on October 15, 2004 with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Signature: *Mary W. Richardson*
Mary W. Richardson, Reg. No. 48,320
Kramer Levin Naftalis & Frankel LLP

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

This Amendment is in response to the Office Action mailed on June 17, 2004 ("Office Action") in connection with the above-referenced application, U.S.S.N. 10/007,526 (hereinafter referred to as "the application").

Applicants amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

Applicants are concomitantly filing a Petition For One Month Extension Of Time extending the time for responding to the Office Action by one (1) month, *i.e.*, from September 17, 2004 up to and including October 17, 2004. Accordingly, this Amendment is timely filed.